

## **Facts about the 90-day finding on a petition to delist the California brown pelican**

**California brown pelican:** The California brown pelican is one of six subspecies of brown pelican. They are distinguished by their large size and brown color. Adults weigh about nine pounds and have a wingspan of over six feet. They have long, dark bills with big pouches for catching and holding fish. The brown pelican is easily distinguished from the American white pelican, the only other pelican in its range, which is white with black primary and secondary flight feathers.

Pelicans breed in nesting colonies on islands without mammal predators. They typically build a nest of sticks on the ground. All courtship occurs at the nest site. Normal clutch size is three eggs, which are laid in March or April. Both parents take turns incubating the eggs and rearing the chicks. The birds nest on islands in the Gulf of California and along the coast from Baja California to West Anacapa and Santa Barbara islands, part of Channel Islands National Park in Southern California.

Brown pelicans dive from flight to capture surface-schooling marine fishes. In California they feed primarily on Pacific mackerel, Pacific sardine and northern anchovy. Anchovies comprise 90 percent of their diet during the breeding season.

The brown pelican was listed as endangered in 1970 because of widespread pollutant-related reproductive failures. They are extremely sensitive to bioaccumulation of the pesticide DDT, which causes reproductive failure by altering calcium metabolism and thinning eggshells. In 1985, brown pelicans on the Atlantic Coast, Florida, and Alabama had recovered to the point where they were removed from the Endangered Species List. Brown pelicans remain endangered in Louisiana, Mississippi, Oregon, Puerto Rico, Texas, Virgin Islands, Washington, Central, and South America.

### ***Q. What is a 90-day finding on a petition to delist?***

Section 4 of the Endangered Species Act requires that the Fish and Wildlife Service make a finding on whether a petition to list, delist, or reclassify a species contains substantial information to indicate that the requested action may be warranted. That finding is to be made within 90 days, to the maximum extent practicable, after receipt of the petition and is to be published in the Federal Register. Findings are based on information contained in the petition, supporting information submitted with the petition, and other information available to the Service at the time.

### ***Q. What is meant by substantial information?***

A. When the Service evaluates a petition for substantiality, it considers the adequacy and reliability of the information supporting the action advocated by the petition. A "substantial" finding indicates the Service has determined that adequate and reliable information has been presented or is available that would lead a reasonable person to believe the petitioned action may be warranted.

***Q. What kind of information is considered reliable?***

Among the most reliable and credible sources are papers published in peer-reviewed scientific literature. Information provided by individuals with demonstrated expertise in the relevant subject area is also generally considered reliable. Anecdotal information or information from sources without established records of subject matter experience and expertise must be strongly corroborated to be considered substantial.

***Q. What happens now?***

Once a positive 90-day finding is made, the Service proceeds with a status review of the species. Within 12 months of receipt of the petition, the Service decides whether the petitioned action is warranted, not warranted or warranted but precluded by proposals for other, higher-priority listing actions. If a warranted finding is made, the Service must promptly publish a proposed rule to pursue the petitioned action. If a warranted but precluded finding is made for a petition to delist, the Service classifies the petitioned species as a candidate for delisting. The Service must document that it is making progress in listing, reclassifying or delisting species, and that the Service's decisions follow its listing priority system. The Service annually reviews warranted but precluded species for possible listing action.

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